

I. Status of the Claims

Claims 1, 2, 4-10 and 17 are pending in the application.

Claim 2 is objected to as being a duplicate of claim 1. Claim 2 is also objected to because there are two periods at the end of the claim.

Claim 17 is objected to as being a duplicate of claim 4.

Claims 1, 2 and 4-10 remain rejected, and claim 17 is newly rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 and 9-12 of US Patent No. 6,469,042.

Claims 2 and 17 have been canceled in the present amendment.

II. Response to the Claim Objections

The Patent Office objected to claim 2 as being a duplicate of claim 1. Applicants have canceled claim 2. Applicants submit this action renders this objection, as well as the objection based on informalities, moot.

The Patent Office objected to claim 17 as being a duplicate of claim 4. Applicants have canceled claim 17. Applicants submit this action renders this objection moot.

III. Response to the Double Patenting Rejection

The Patent Office rejected claims 1, 2, 4-10 and 17 under the doctrine of obviousness-type double patenting over claims 1-6 and 9-12 of issued US Patent No. 6,469,042. The Patent Office also states that although applicants assert that a terminal disclaimer has been filed in this application, no such paper has been received by the Patent Office.

Applicants enclose herewith (a) a copy of the terminal disclaimer filed with applicants' February 9, 2004 response; (b) a copy of the fee letter addressing the fee associated with applicants' filing of the terminal disclaimer; and (c) a copy of a postcard stamped by the Patent Office indicating receipt of applicants' terminal disclaimer. Applicants submit that this terminal disclaimer obviates the double patenting rejection.

IV. Conclusions

In consideration of the above amendments and remarks, applicants respectfully request that the objections and rejections of record be withdrawn. Applicants further submit the subject patent application is now in condition for allowance and courteously solicit a Notice of Allowance.

If any small matter should remain outstanding after the Patent Office has had an opportunity to review the instant paper, the Patent Office is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Office Action.

Although it is believed no additional fee is due, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this correspondence to Deposit Account Number 19-3880. Furthermore, if any extension of time not already accounted for is required, such extension is hereby petitioned for, and it is requested that any fee due for said extension be charged to Deposit Account Number 19-3880.

Respectfully submitted,

  
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